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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

2008 MAR 20 A 9 30

NORTHERN DIVISION

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

NATHANIEL SHAW

PLAINTIFF,

V.

CASE NO. 2:07-CV-00606-ID-CSC

D.T. MARSHALL et al,

DEFENDANTS.

MOTION FOR LEAVE TO FILE AN OBJECTION

COMES NOW THE PLAINTIFF NATHANIEL SHAW,
(PROSE) IN ACCORDANCE WITH THE FEDERAL
RULES OF CIVIL PROCEDURE PURSUANT TO THE
APPROPRIATE RULE AND AUTHORITY AND MOVES
THIS HONORABLE COURT TO ENTER THE PLAINTIFF
MOTION FOR LEAVE TO FILE AN OBJECTION TO THE
DEFENDANTS RESPONSE TO COURT ORDER DOCUMENT
#: 69-1.

GROUND

THE PLAINTIFF IN THE ABOVE CAPTION
CASE NUMBER ON FEBRUARY 21st, 2008 RECEIVED
AN COURT ORDER THAT, ON OR BEFORE MARCH 6, 2008

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DEFENDANTS MARSHALL, SAVAGE, SMITH AND WRIGHT, SHALL SUBMIT TO THIS COURT ANY DOCUMENTATION PROVIDED TO INMATES CONCERNING THE GRIEVANCE PROCEDURE AT THE MONTGOMERY COUNTY DETENTION FACILITY. DONE THIS 21st DAY OF FEBRUARY, 2008 SIGNED BY THE HONORABLE CHARLESS. COODY, CHIEF UNITED STATES MAGISTRATE JUDGE. THE PLAINTIFF ON MARCH 14th 2008 RECEIVED FROM THE CLERK'S OFFICE THE CIVIL DOCKET FOR CASE#: 2:07-CV-00606-ID-CSC WITH ALL DOCKET ENTRIES TO BE FORWARD TO THE UNITED STATES COURT OF APPEAL THE PLAINTIFF FIND ON DOCKET ENTRY 11 RESPONSE TO 69 ORDER OF MAGISTRATE JUDGE BY C. SMITH, SONDRA WRIGHT, GINA SAVAGE, D.T. MARSHALL.

(ATTACHMENTS: # 1 EXHIBIT HANDBOOK) (WALKER, CONSTANCE) MODIFIED ON 2/25/2008 TO CREATE A LINK TO ORDER (Cb.). ENTER 02/22/2008. THE PLAINTIFF WOULD FIRST OBJECT TO ANY ENTRY INTO THE RECORD WITHOUT THE PLAINTIFF RECEIVING A COPY THEREOF SUCH IS THE CASE WHERE THE PLAINTIFF FOUND OUT ABOUT THE SAID ENTRY BY RECEIVING THE CIVIL DOCKET ON MARCH 14th 2008. TO ALLOW THE DEFENDANTS TO ENTER DOCUMENTATION INTO THE RECORD WITHOUT THE PLAINTIFF HAVING KNOWLEDGE OF THE SAID ENTRY WOULD PREJUDICE THE PLAINTIFF GIVING UNFAIR

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ADVANTAGE TO THE DEFENDANTS. TO ALLOW THE DEFENDANTS TO MODIFY THEIR SPECIAL REPORT IN ANY MANNER AT THIS LATE STAGE OF THESE PROCEEDINGS WOULD BE BOTH, BIAS AND PREJUDICE TO THE PLAINTIFF. CERTAINLY IF THERE HAS BEEN ANY MODIFICATION TO THE INMATE HANDBOOK THAT WAS IN FORCE AT THE TIME OF THE FILING OF THE COMPLAINT AT BAR WOULD CERTAINLY GIVE UNFAIR ADVANTAGE TO THE DEFENDANTS AND PREJUDICE THE PLAINTIFF. THE PLAINTIFF IF THERE HAS BEEN A MODIFICATION TO THE INMATE HANDBOOK THE PLAINTIFF WOULD REQUEST OF THIS HONORABLE COURT TO ORDER THE DEFENDANTS TO PROVIDE THE PLAINTIFF WITH A COPY OF IT, AND THAT ALL INMATES BE PROVIDED A COPY. THE PLAINTIFF AFTER REVIEW OF THE ENTIRE CIVIL DOCKET SEE THAT THERE WAS AN ORDER ISSUED BY THE HONORABLE SUSAN RUSS WALKER THAT ORDERED DEFENDANTS ART BAYLOR AND C.J. COUGHLIN SHALL FILE AN ACTUAL PHOTOGRAPH DOCKET NUMBER 25 ON 09/05/2007 DOCKET NUMBER 26 RESPONSE TO ORDER RE 25 ORDER TO FILE PHOTOGRAPH BY ART BAYLOR, C.J. COUGHLIN. (HIGHLEY, ALLISON) ADDITIONAL ATTACHMENT(S) ADDED ON 9/5/2007 TO ADD THE PHOTOGRAPH ATTACHMENT

4055

PREVIOUSLY OMITTED BY E-FILE (gc/djy).
ENTERED: 09/05/2007. DOCKET ENTRY 27
NOTICE OF CORRECTION RE 26 RESPONSE TO ORDER
TO ADD THE PHOTOGRAPH ATTACHMENT PREVIOUSLY
OMITTED BY E-FILE (ATTACHMENTS: #1 DOCKET
ENTRY 26 PHOTOGRAPH ATTACHMENT) (djy, (ENTERED):
09/05/2007) THE PLAINTIFF DOESN'T HAVE
ACCESS TO E-FILE AND THE PHOTOGRAPH OF
SPECIAL REPORT 23 HAD THE PLAINTIFF WEARING
A WHITE SHIRT HOWEVER THE PLAINTIFF AT
THE TIME ARRESTED WAS WEARING A DARK SHIRT.
THE PLAINTIFF REQUEST OF THIS HONORABLE
COURT TO PROVIDE THE PLAINTIFF A COPY OF THE
SECOND PHOTOGRAPH IN COMPLIANCE WITH THE
COURT ORDER DOCKET ENTRY 25 09/05/2007.
THE PLAINTIFF OBJECT THAT THE ENTRIES
ABOVE MENTION HAS NOT BEEN PROVIDED
TO THE PLAINTIFF AND SHOULDN'T BE ENTERED INTO THE RECORD.
IT IS SO PRAYED

UNDER THE PENALTY OF PERJURY,
DONE ON THIS 18TH DAY OF MARCH 2008

RESPECTFULLY SUBMITTED
Nathaniel Shaw

NATHANIEL SHAW
#89354 M.C.D.F.
P.O. BOX 4599
MONTGOMERY, ALABAMA
36123

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CERTIFICATE OF SERVICE

I CERTIFY THAT A TRUE AND CORRECT
COPY OF THE FORGOING HAS BEEN FURNISH
VIA U.S. MAIL POSTAGE PRE PAID TO AS
FOLLOWS: ON THIS 18TH DAY OF MARCH
2008.

OFFICE OF CLERK
UNITED STATES DISTRICT COURT
P.O. BOX 711
MONTGOMERY, ALABAMA
36101-0711

ATTORNEY CONSTANCE C. WALKER
HASKELL SLAUGHTER YOUNG & GALLON LLC
P.O. BOX 4660
MONTGOMERY, ALABAMA
36103-4660

SIGNED

Nathaniel Shaw

NATHANIEL SHAW
#89354 M.C.D.F.

P.O. BOX 4599

MONTGOMERY, ALABAMA
36103

NATHANIEL SHAW
BOOKING # 89354 M.C.D.F.
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MONTGOMERY AL 361

19 MAR 2008 PM 3

USA 41

INMATE MAIL

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
P.O. BOX 711
MONTGOMERY, ALABAMA

36101-0711

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